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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,
Plaintiff,
v.
MARIA CONSUELO MACHUCA
ZUNIGA,
a/k/a Maria Consuelo Gomez,
a/k/a Maria Consuelo Machuca Gomez,
Defendant.

No. 08-00087 RS

STIPULATION AND [PROPOSED]
ORDER EXCLUDING TIME

SAN JOSE VENUE

On April 10, 2008, the parties in the above-referenced case appeared before the Court for a status appearance. At that appearance, the parties requested that the case be continued to May 12, 2008 in order afford the government sufficient time to obtain further discovery requested by defense counsel. Reid Davis, Law Clerk for the United States Attorney's Office, then requested an exclusion of time under the Speedy Trial Act from April 10, 2008 until May 12, 2008. The defendant, through her lawyer, agreed to the exclusion. The undersigned parties agree and stipulate that an exclusion of time is appropriate based on the defendant's need for effective

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1 preparation of counsel.

2
3 SO STIPULATED:

JOSEPH P. RUSSONIELLO
United States Attorney

4
5 DATED: 4/14/08

/s/
SUSAN KNIGHT
Assistant United States Attorney


6
7 DATED: 4/14/08

/s/
Assistant Federal Public Defender

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11 Accordingly, for good cause shown, the Court HEREBY ORDERS that time be excluded
12 under the Speedy Trial Act from April 10, 2008 to May 12, 2008. The Court finds, based on the
13 aforementioned reasons, that the ends of justice served by granting the requested continuance
14 outweigh the best interest of the public and the defendant in a speedy trial. The failure to grant
15 the requested continuance would deny defense counsel reasonable time necessary for effective
16 preparation, taking into account the exercise of due diligence, and would result in a miscarriage
17 of justice. The Court therefore concludes that this exclusion of time should be made under 18
18 U.S.C. §§ 3161(h)(8)(A) and (B)(iv).

19 SO ORDERED.

20
21 DATED: 4-16-08


RICHARD SEEBORG
United States Magistrate Judge